Maharashtra Telecom Infrastructure Guidelines for Urban Local Bodies 2022

Government of Maharashtra

Urban Development Department
Government Resolution No. Sankirna-2021/C.R. 242/UD-20
Mantralaya, Mumbai - 400 032
Date : 19th December, 2022

Read :- (1) State Broadband Committee Meeting Dated 01.06.2021
(2) Urban Development Department GR No.Sankirna-2021/C.R.242/UD-20, Dated 23.12.2021
(3) General Administrative Department GR No. DIT 065/CR 7/2022/S.4/39, Date-04.11.2022

1. Introduction :-

As telecom service providers with the mandate of the Department of Telecommunications Government of India, the operators are committed to provide coverage, and increase teledensity in urban areas. The Government of Maharashtra proposed to lay down a policy dated 4th November, 2022 that would be clear and useful to industry in this regard.

Government of Maharashtra after examining the issues and problems faced by the telecom operators and after deliberating on the merits of the same deems it fit to issue these instructions under the “Telecom Infrastructure Policy 2022” for filing in objections and suggestions for setting of Telecommunication Cell Site/Base station for provisioning of telecommunication network in State of Maharashtra.

The Government of Maharashtra has been taking pro-active steps to realize the vision of the Digital India program in the State. Industry associations & telecom service providers from time to time have highlighted the various issues which need to be resolved to ensure speedy augmentation of the telecom infrastructure in the State.

At present, there is no uniformity of rates, procedure and documents required for granting for Right of Way permission & mobile tower infrastructure permissions within urban local bodies. There are different sets of regulations are being used by different Urban Local Bodies. Multiplicity of different local rules, resolutions and agencies and Departments dealing with permissions is resulting in an avoidable overlap and delays. Yet there is Telecom Infrastructure Policy in force then applicants have to go to different agencies for NOCs, payments, permissions even for a single application.

It would be desirable to eliminate this ambiguity and multiplicity of agencies and designate Directorate of Municipal Administration of Urban Development Department as the appropriate authority for the implementation of Telecom Infrastructure guidelines within Urban Local Bodies.

Government of India issued notification dated 15.11.2016 for installation of Telecom infrastructure. The rules are called as Indian Telegraph Right of Way Rules, 2016 and Indian Telegraph Right of Way (Amendment) Rules, 2022. These rules inter alia specify the method of application of by a licensee, points of scrutiny by the appropriate authority before grant of permission, obligations of licensee in undertaking the work and powers of the appropriate authority to supervise the work for underground and overhead telegraph infrastructure. It is proposed to prepare an integrated framework of the State Government for handling issues related to setting up of telecom infrastructure in the State which is aligned with the rules of the Government of India referred to above. Hence, the issue of comprehensive guidelines regarding setting up of telecom infrastructure in the State was under the consideration of the Government.

2. Government Resolution :-

Whereas the Telecom Infrastructure Policy GAD GR No. DIT065/CR7/2022/S4/39, Date-04.11.2022 in exercise of the powers conferred by the **Indian Telegraph Right of Way Rules, 2016** read with section 520 C of **The Mumbai Municipal Corporation act, 1888** (Bombay Act 3 of 1888), sections 450 A of **The Maharashtra Municipal Corporations Act, 1949** (Maharashtra Act no. LIX of 1949) and section 312 A of **The Maharashtra Municipal Councils, Nagarpanchayats and Industrial Townships Act, 1965** (Maharashtra Act no. XL of 1965) and in order to bring uniformity in disposal of permission amount in Urban Local Authorities has been published in the Telecom Infrastructure Policy.

Now therefore in exercise of powers conferred under the Indian Telegraph Right of Way Rules, 2016 read with above mentioned sections, the State Government of Maharashtra is hereby pleased to make the following guidelines to bring uniformity, clarity and simplification in the process of mobile tower installation permission and Right of Way (RoW) permission to install telecom infrastructure such as Ground Based Tower (GBT), Ground Based Mast/Monopole, Roof Top Tower (RTT) and Roof Top Pole (RTP) establishment of poles for 5G, and laying of underground optical fiber cable to licensed telecom operators and registered infrastructure providers in urban areas of Maharashtra.

3. Objectives :-

These guidelines are aimed at creation of robust telecommunication infrastructure with adequate band width to promote information technology, E-governance, E-commerce, Convergence of information, Communication and Entertainment sectors, which shall improve the economy of the state and enhance the quality of life of citizens and ensure development of urban areas with equity towards the state. The state government intends to use this

telecommunication infrastructure to deliver citizen centric services to the citizens so that she/he can access services in the comfort of their homes without having to access government office.

4. Title, commencement and application :-

(1) These guidelines may be called the Maharashtra Telecom Infrastructure Guidelines for Urban Local Bodies 2022

(2) They shall come into force from the date of publication.

(3) Directorate of Municipal Administration of Urban Development Department is designated as the Appropriate Authority to implement and work as Nodal Officer for the activities involving setting up and maintenance of telecom infrastructure in the Urban Local Body areas.

5. Definitions :-

For the purposes of guidelines, unless the context otherwise requires, -

(a) "Act" means the Indian Telegraph Act, 1885 (Central Act 13 of 1885);

(b) "Applicant" shall mean an agency who is a telecom or cable infrastructure provider, registered with the Department of Telecommunication to install new Telecommunication Infrastructure Towers (TIT) or to lay cable wires either below the surface of the earth or above the surface of the earth for any communication purposes recognized under the appropriate law.

(c) "Appropriate Authority" means the authority as defined under clause (b) of rule 2 of the Indian Telegraph Right of Way Rules, 2016;

(d) "Cable" shall mean an assembly of one or more insulated conductors or optical fibres or a combination of both within an enveloping jacket which may be above the surface of the Earth or below the surface of the Earth and shall be a high-speed physical medium for transmitting data or information and shall not include those cables utilized for broadcasting or provision of programming services under the Cable Television Networks Regulations Act, 1995 (Central Act 7 of 1995)

(e) "Cable duct" shall mean a pipe or tubular hollow structure designed to accommodate the running of one or more cables within it.

(f) "Government" means the Government of Maharashtra.

(g) "Nodal Officer" for the purpose of these guidelines means,- the Commissioner, Directorate of Municipal Administration, Mumbai Commissioner or officer authorized by him.

(h) "Permission holder" means any person holding a permission/ licence issued under these guidelines ;

(i) "Over ground cable infrastructure" means a cable over the ground and includes posts or other above ground contrivances appliances and apparatus for the purpose of establishment or maintenance of the cable;

(j) "Permission" means the permission granted by the urban local bodies to an applicant for the purpose of installing telecommunication infrastructure tower or laying down optical fibre cables above the surface of the earth or below the surface of the earth in accordance with the Telecom Infrastructure Policy/guidelines;

(k) "Schedule" means the schedule appended to these Telecom Infrastructure guidelines;

(l) "Telecommunication Infrastructure Tower (TIT)" shall include Ground Based Tower (GBT), Roof Top Tower (RTT), Roof Top Poles (RTP), Cell Phone Tower (CPT), Antenna fixtures, fabricated antenna, Tower to install the telephone lines, Transmission Towers, Cell On Wheels, In-Building Solutions and Micro Sites. But it shall not include the Antennas installed for domestic purpose, namely Television Antennas or Dish Antennas;

(m) "Underground cable infrastructure" includes manholes, marker stones, appliances and apparatus for the purposes of establishment or maintenance of the cables,

(n) "Registered Telecom Infrastructure Provider" are the one who hold valid licence issued by DoT, GoI.

(o) "Rule" means the Indian Telegraph Right of Way Rules, 2016; and "Urban Areas" means areas within the limits of Urban Local Bodies.

(p) Words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

6. Applicability /Eligibility :-

1) These instructions shall apply to the whole of the State of Maharashtra and shall be implemented by all Municipal Corporations, Municipal Councils, the appropriate authorities mentioned in the **Telecom Infrastructure Policy 2022**.
2) The Guidelines shall be applicable to all telecom licensees and Registered Telecom Infrastructure Providers (Registered with DOT) within the State.
3) Either by content or by intent, the purpose of extending Right of Way facility is not to enhance the scope of license of a licensee and such Right of Way permissions shall be only enabling in nature.

4) The concerned Commissioner of Municipal Corporation/ Chief Officers of Municipal Council/ Nagar Panchayat/Local self-governing bodies shall be the Appropriate Authority in the areas under its jurisdiction.

7. <u>Survey of the existing underground and overground telecom infrastructure i.e., OFC, Cables below the surface of the earth and above the surface of the earth, mobile towers etc.</u> :-

1) In urban areas Commissioner/ Chief Officer/ Appropriate Authority shall undertake a survey as mentioned Point 8 in General Section of State Telecom Infrastructure Policy 2022.
2) The survey shall identify areas where cables or cable ducts have been laid below and above the surface of the earth and the agencies responsible for laying such cables or cable ducts and such a survey shall ordinarily be completed before 31st March 2023 and for telecom infrastructure tower, the survey shall ordinarily be completed before 31st March 2023.
3) The Commissioner/ Chief Officer/ Appropriate Authority shall co-ordinate with telecom infrastructure providers whereas if necessary for survey purposes.
4) The telecommunication infrastructure towers that have previously registered with the urban local bodies or have remained unregistered shall register themselves with The Commissioner/ Chief Officer/ Appropriate Authority in accordance with the procedure laid down under these guidelines :-
    (1) Upon undertaking the survey of cables and cable ducts laid below and above the surface of the earth, the Commissioner/ Chief Officer/ Appropriate Authority shall identify such empty cable ducts within which new cables may be accommodated and record such details for the purposes of scrutinizing any application received under these guidelines.
    (2) Based on the survey undertaken, the appropriate authority shall direct such agencies who have laid down cables or cable ducts prior to the publication of these guidelines to register themselves, afresh, with the Commissioner/ Chief Officer/ Appropriate Authority in accordance with the procedure laid down under these guidelines.
    (3) Based on the survey undertaken, the Commissioner/ Chief Officer/ Appropriate Authority shall direct such agencies who have installed telecommunication infrastructure towers prior to the publication of these guidelines to register themselves, afresh, with the Commissioner/ Chief Officer/ Appropriate Authority in accordance with the procedure laid

down under these guidelines. The details of the survey undertaken by the local bodies for the installation of telecom infrastructure tower and cables shall be recorded by the local body in such manner as may be appropriate and the particulars of the survey shall be communicated to the State Government.

8. Essentiality of Permit :-

No person shall erect or re-erect any non- Governmental telecom infrastructure tower or telecommunication pole structures or accessory rooms or lay underground cables or overground cables or make alteration or cause the same to be done without obtaining a separate permission for each such erection or laying from the Commissioner/ Chief Officer/ Appropriate Authority.

Provided, if any person erects a telecommunication tower or lays down cables (either underground or overground) in the absence of permission under these guidelines, the Commissioner/ Chief Officer/ Appropriate Authority shall initiate action, after giving notice, for removal of the telecom tower or cables as per law.

9. Application for Installation of Telecommunication Cell Site/Base Station :-

I) All applications shall be made to the concern Local Body or Appropriate Authority by the Telecom Service Provider through GatiShakti/MahaSanchar only.

II) All applications seeking permission of any appropriate authority to lay the communication infrastructure shall be submitted by the applicant infrastructure provider/ Telecom Licensee along with all the particulars and documents specified below to the concerned Commissioner/Chief Officer/Designated Officer through Gatishakti/MahaSanchar Portal.

III) The concerned Commissioner/Chief Officer/Designated Officer of the Urban Local Body shall be single contact person for all clearances.

IV) In order to provide time bound clearances and to address public grievances relating to installation of Telecom infrastructure and other issues, and also to give clearances for establishing Telecom Infrastructure over government/semi-government/local body land and buildings, the concerned Chairman of District Level Telecom Committee (DLTC) is hereby declared the grievance redressal officer for the Urban Local Bodies. Principal Secretary Information Technology

will be the appellate authority for any appeals against the decision of the Chairman of DLTC.

10. Establishment of Over-ground Telecom Infrastructure Tower or overground cable infrastructure :-

(A) Application :-

(1) An applicant shall, for the purposes of establishing overground telecommunication infrastructure tower or overground cable infrastructure, upon any immoveable property vested in or under the control or management of any appropriate authority, make an application, supported by such documents, to that appropriate authority in such form and manner as may be specified by the said authority.

(2) The applicant shall provide documents for the permission as per **SCHEDULE I**.

(3) In addition to the documents specified as above, the permission holder shall, while making the application, give a specific commitment on whether he undertakes to discharge the responsibility for restoration, to the extent reasonable and prudent, of the damage that the concerned appropriate authority shall necessarily be put in consequence of the work proposed to be undertaken.

(4) If the applicant commits to undertake the responsibility of restoration, he shall submit an estimate of the cost of such restoration which shall be approved by the authority. Else, the applicant shall deposit the amount equivalent to the cost of restoration, as specified by the Indian Telegraph Right of Way (Amendment) Rules 2022 specified in Part II of the schedule.

(5) All existing telecom infrastructure towers or overground cable infrastructure shall register before 31st March 2023 as per the State Telecom Infrastructure policy 2022. By paying fees mentioned in these guidelines. and by submitting structural safety/ stability certificate from a structural engineer empanelled with the local authority or any other agency of the State or Central Government. Upon the failure of the existing telecom infrastructure tower or overground cable infrastructure provider to pay the fees and register within the stipulated time, the concerned local authority shall initiate action, after giving notice, for removal of the telecom infrastructure tower or overground cable infrastructure as per law.

(6) Operation & Maintenance activities in respect of overground telecom infrastructure tower or overground cable infrastructure shall be undertaken with prior intimation to Commissioner/ Chief Officer/ appropriate authority. No fresh permissions are necessary for purely operation & maintenance activities.

(7) Provided that any activities that causes change in location of overground telecom infrastructure tower or overground cable infrastructure will necessitate permission under guidelines.

(B) <u>Grant of permission by the Appropriate Authority</u> :-

(1) The appropriate authority shall examine the application with respect to the following parameters, namely :-

i. the extent of land required for the telecom infrastructure tower or overground cable infrastructure ;
ii. the location proposed ;
iii. the approval issued by the duly authorized officer of the Central Government for location of the above ground contrivances proposed to be used for transmission of Radio waves or Hertzian waves ;
iv. the mode of and time duration for execution of the work ;
v. the estimation of expenses that the appropriate authority shall necessarily be put in consequence of the work proposed to be undertaken;
vi. assessment of the inconvenience that the public is likely to be put to in consequence of the establishment or maintenance of the telecom infrastructure tower or overground cable infrastructure, and the measures to mitigate such inconvenience indicated by the permission holder
vii. certification of the technical design by a structural engineer attesting to the structural safety of the telecom infrastructure tower or overground cable infrastructure;
viii. Certification by a structural engineer, of the structural safety of the building, on which the post or other above ground contrivances is proposed to be established; Aerial cables which are permitted only for last mile connectivity, do not require structure certificates for installation.
ix. any other matter, consistent with the provision of these guidelines, connected with or related to the laying of telecommunication infrastructure tower or overground cable infrastructure, through a general or special order or guidelines by the Central Government, State Government or the concerned local authority ;

(2) Where the establishment of the overground telecom/ cable infrastructure is over the immoveable property, vested in the control or management of any local authority which is, unlikely to be used for any other purpose, the local authority shall be entitled to compensation for the value of the immoveable property, either once or annually, assessed

on such rates as that appropriate authority may, by general order, specify as mentioned in Indian Telegraph Right of Way (Amendment) Rules 2022 specified in Part III of the schedule.

(3) The appropriate authority shall within a period not exceeding 60 days from the date of application :-

(a) grant permission on such conditions including, but not limited to, the time, mode of execution, measures to mitigate public inconvenience or enhance public safety or structural safety and payment of restoration charge or compensation, subject to the provisions of the Act and these guidelines; or

(b) reject the application for reasons to be recorded in writing:

Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard on the reasons for such rejection:

Provided further that the permission shall be deemed to have been granted if the concerned appropriate authority fails to either grant permission under clause (a) or reject the application under clause (b) and the same shall be communicated in writing to the applicant not later than five working days after the time specified as above.

(4) Where the concerned appropriate authority accepts the undertaking by the permission holder to discharge the responsibility to restore the damage that such authority shall necessarily be put in consequence of the work, the concerned appropriate authority while granting permission shall seek a bank guarantee for an amount in lieu of expenses for restoration of such damage, as security for performance in the discharge of the responsibility.

(5) Formal clearance or permit will not be requires for installation of cell on wheels, The Cell on Wheel can maximum placed for 30 day with prior intimation to commissioner/chief officer/ appropriate officer, along with fees depending upon the location provided all other provisions of concerned department are followed. Where the deployment is more than 30 days due to any reason, permission from concerned local authority is required for a period not exceeding 90 days.

11. <u>Fees Structure for installation of Mobile Tower</u> :-

The concerned appropriate authority shall charge fees as per **SCHEDULE II :-**

i. In cases, where the land/site utilized for the infrastructure such as tower, mast, pole, T.V. cable network, OFC, etc. is to be provided by a Government Department/Agency/Local Authority etc, the annual lease charges for each such site

shall be as per current Market Rate, or as per relevant government notification or resolution. Lease charges for a Pit/Manhole shall be Rs.100/- per annum in addition to annual lease charges. The actual area below the tower / support system shall be considered for lease charges.

ii. Property Tax shall be independently paid as per respective provisions of Municipal Corporation Act / Municipal Council Act by concerned TSP in each financial year to respective Municipal corporations / Municipal Councils.

iii. Validity of the permission for installation of mobile towers shall be coterminous with the Telecom License period.

iv. For cell on Wheels the fees to be paid shall be maximum of 50% of regular mobile towers.

v. Other than these fees, no other hidden charges of any nature should be charged for the cellular sites except property taxes for the tower and appurtenant uses.

vi. The approvals shall be granted by designated Additional Commissioner/Additional Chief Officer or appropriate officer of concern local body.

vii. If the local body does not give any response to the applications within a period of 60 days from the date of submission, the said applications by the Telecom Operators shall be deemed to have been approved.

viii. The maximum time limit for giving permission for setting up Telecom Infrastructure will be 60 days from the date of submission of application along with necessary permission fees under the regulations, the authority fails to intimate in writing to the person/ applicant, who has submitted the application; of its refusal or sanction or sanction with such modifications or directions, the application with its plan and statements shall be deemed to have been sanctioned, provided nothing shall be construed to authorise any person to do anything on the site of work in contravention or against the terms of lease or titles of the land.

ix. Provided that, the permission proposal, for which the permission was applied, is strictly in the conformity with the requirements of these regulation or regulations framed in this behalf.

x. If no decision is communicated within 60 days, it will be considered as deemed permission.

xi. No permission for installation of Telecommunication Cell Site/ Base station shall be granted on buildings, which are structurally unsafe. If permission for installation of such structures are granted on buildings, which may be declared as unauthorised at a later point of time, the Local Authority shall have every right to demolish the said building through the due process of law. While undertaking such a demolition, the

local authority will not remove or demolish the same without prior intimation to the owner of the tower, and the local authority will not be liable for loss of the tower as a consequence of demolition of the unauthorised building. The operators shall indemnify Local Authority to this effect.

xii. Notwithstanding anything, Local Authority may require demolition/ removal of Telecommunication Cell Site put on such illegal buildings and structures after issuing an advance notice of 30 days to the concerned Telecom Service Provider.

xiii. Any complaint concerning ILLEGAL USE OR CONSTRUCTION of the building, location of the tower or other complaints/queries of any nature regarding the installation of telecommunication equipment, the Local body shall intimate the concerned Telecom Operator of the same with a direction to resolve the matter under intimation to the Local body.

xiv. The Licensees shall try to share the towers for fixing their respective antennas provided that the prescribed conditions are duly fulfilled so as to ensure curtailing of multiple towers and optimizing the use of the existing ones.

xv. The conditions for DG sets used for mobile towers shall be as per the provisions under Environment (Protection) Act, 1986 and the Noise Pollution (Regulation and control) Rules, 2000 as amended from time to time.

12. <u>Obligations of permission holder in undertaking work</u> :-

The permission holder shall ensure that –

1) Prior to the commencement of establishment and maintenance of telecom infrastructure tower or over ground cable infrastructure and at all times, the measures to mitigate public inconvenience and ensure public safety, including structural safety of such telecommunication infrastructure tower or overground cable infrastructure are implemented;
2) The work of establishment and maintenance of over ground telecom/cable infrastructure is carried out in accordance with the conditions specified in the grant of permission by the appropriate authority.

13. <u>Guidelines for installation of Roof top based Infrastructure</u> :-

1) Express permission from the building owner shall be obtained. The pre-fabricated structure shall be temporary in nature and shall not be an inseparable part of the roof-top.

2) The height of the antenna (i.e. height of building plus height of tower should be as per submitted specifications and should not violate the directions and the limit prescribed by Appropriate Authority in this regard).
3) The structural safety has to be ensured by each private operator individual who should obtain the certificate from a certified structural engineer. It shall be the responsibility of the operator to ensure that the buildings are structurally safe and sound and are capable of taking the load of antenna and pre-fabricated structures.

14. <u>Guidelines for installation of mobile towers by private telecom service providers in the premises of government offices or government land</u> :-

1) The Commissioner/ Chief Officer/ Competent Officer of the concerned Government/ Semi-government Office where the Government land/building is located would be the Appropriate Authority concurrently for according permissive sanctions for allowing annual lease of Government land/building in consultation with head of the concerned Department, Board, Corporation, Societies, Schools, Colleges, Hospitals, Anganwadi Centres etc.. The below mentioned guidelines govern the matters relating to the installation of mobile/telecommunication towers in Government/PSU land and buildings by Telecom Infrastructure Providers.
2) All applications for seeking permission of any Appropriate Authority for the installation of mobile/telecommunication towers in Government/PSU Local Body land and buildings shall be submitted by the applicant, along with the prior written consent from the Appropriate Authority having legitimate right over the land, and with (i) one time Charges for right of use, and (ii) furnish the Performance Bank Guarantee as a refundable security for restoration of sites and (iii) annual lease charges on the online portal to the concerned Commissioner/ Chief Officer/ Competent Officer. The above said Officer will meet with inputs from all concerned and decide the applications and convey the decision within a maximum time period of 30 days.
3) The tower being constructed at Government/ semi- Government/ local body land/Building if is to be shared with and other Telecom Infrastructure Providers/Service Providers in future as per Technical feasibility. The Telecom Infrastructure Providers/Service Providers should seek permission from the concerned Authority before sharing infrastructure.
4) Annual Lease Charges shall be payable to the department who owns the land and buildings as per charges defined under relevant rules.

5) Permit for installation of Ground Based Mast (Tower)/Roof Top tower on the land/buildings belonging to the State Government offices/ semi- Government/ local body / PSU will be issued by Concerned Officers in accordance as per the provisions of this guidelines. The guidelines in the matter issued by Government of India/Government of Maharashtra from time to time shall also be applicable.
6) Telecom Infrastructure Provider/ Service Providers shall have no right or claim over any Government Building/premises, in the light of this guidelines for granting permission for installing Ground Based Mast (Tower)/Roof Top Tower. It shall be the discretion of Commissioners / Chief Officer/ Competent Officer to take appropriate decision for allowing the installation of Ground Based Mast (Tower)/Roof Top Tower on lease rent basis. This permissive sanction does not force any department to grant permission.
7) Technical feasibility and structural stability should be taken in to account head of office before leasing out the building roof tops. Future expansion/extension of building/premises should be kept in mind.
8) All such installations should be incompliance to DoT. GoI norms and related instructions issued by GoI and State Govt. from time to time.
9) Head of Office shall enter into an agreement with Telecom Infrastructure Provider/ Service Providers before leasing out land or roof top space of the building.
10) Damage cause to the building/assets/land if any, shall be rectified by the Telecom Infrastructure Provider/ Service Providers to bring back to the original condition and to the satisfaction of the authorities concerned. The Telecom Infrastructure Provider/ Service Providers will be solely responsible for any damage/losses to the property/people due to any accidents occurring due to the Tower.
11) Leasing of premises or buildings to Telecom Infrastructure Provider/ Service Providers should not be detrimental to the daily routine activities of the office or officers concerned.
12) The Fee collected by the Appropriate Authority on a/c of administrative expenses for examination of application as also the lease charges levied collected on a/c of usage of land/site of Government Department shall be deposited in the State Treasury/ concerned departments treasury.

15. <u>Guidelines for installations of in-building solutions (IBS)/ microcell in government building</u> :-

1) The in-building systems may be set-up in buildings to obtain good coverage and capacity to the mobile network inside the building by ensuring that the signals don't

have to penetrate thick walls. The infrastructure required to being installed requires extensive wiring in building which could be internal or external based on the aesthetical requirement of the owner. This solution is beneficial to the mobile users as well as mobile operators as it reduces the load of the mobile towers and gives coverage to the mobile users. In this regard, the following guidelines shall be followed.

2) Identification selection of Government buildings for in-building solution/microcell would be done by the concerned department and request for installing IBS can be communicated to the Telecom Service Provider who in-turn shall conduct a survey to see the possibility of installing IBS in the said premises/building.

3) The permission for setting such a facility would be given by the concerned Head of department of the building and issue enabling order to allow such installations. In view of requirement of exterior/ interior wiring for in-building solution, the line plan should be got approved by the maintenance agency for electrical services for the said building. The service provider would also look into the security considerations of the Government offices.

16. <u>Utility Structures of the Government for Aerial Optical Fibre Cable laying</u> :-

1) Right of Way (ROW) for Aerial OFC (Overhead Telegraph line) laying will be encouraged and promoted in the areas where underground fibre is difficult such as in the hill areas, congested localities, dense population, slum areas etc.

2) In case Aerial OFC (Overhead Telegraph line) is established over the immovable property, vested in the control or management of any appropriate authority, then in such cases, one-time compensation shall be payable for the value of the immovable property, not exceeding one thousand rupees per Kilometre (One Time Charge) of the over ground telegraph line established.

For establishment of overground telegraph infrastructure	(i) One thousand rupees per kilometre for establishment of overground telegraph line. (ii) Nil for establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of appropriate central authority. (iii) One thousand rupees per pole for establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of appropriate authority, other than appropriate central authority.

3) Use of Street Furniture for the deployment of the Telecom Infrastructure i.e. aerial fibre, T.V. Cables, Small cells etc will be made available across the State by Appropriate Authority as per prescribed conditions at places such as bus stop shelters, lampposts, or traffic lights, owned by municipalities, to help small cell site deployment for 5G rollout.

17. Powers of the Appropriate Authority to supervise the work :-

1) The concerned appropriate authority may supervise the establishment and maintenance of telecommunication infrastructure tower or over ground cable infrastructure to ascertain if the conditions imposed in the grant of permission are observed by the permission holder.
2) The concerned appropriate authority may, on the basis of such supervision, impose such other reasonable conditions, as it may think fit.
3) If the concerned appropriate authority comes to the conclusion that the permission holder has wilfully violated any of the conditions for grant of permission, it may withdraw, for reasons to be recorded in writing, the permission granted to the permission holder:

Provided no action shall be taken under sub-rule unless the permission holder has been given notice, and an opportunity of being heard. The permission holder shall be given a period of 30 days to remedy violations identified by the Authority.

18. Maintenance of telecommunication infrastructure tower or over ground cable infrastructure :-

1) The permission holder shall inform the Appropriate Authority in case of removal or translocation the telecommunication infrastructure tower or over ground cable infrastructure.
2) In the event the Local Authority/ Urban Local Body or any other agency of the State Government or Central Government seeks to widen or modify the roads abutting which the telecommunication infrastructure tower or over ground cable infrastructure of the permission holder exists, such permission holder shall coordinate with such agency for removal or shifting of the telecom infrastructure tower or over ground cable infrastructure.

19. Penalties :-

Any other violation apart from Electromagnetic Field (EMF) radiation being deemed by the appropriate authority as a violation on part of the licensee, the same shall be dealt with by issuing a notice to the licensee. The duration to respond to the notice shall not be less than 7 working days. In case the appropriate authority is not

satisfied with the response, the licensee shall have an opportunity to be heard by the District Level Telecom Committee. In case the District Level Telecom Committee concurs with the appropriate authority's decision then appropriate action shall be initiated by the appropriate authority against the licensee.

1) The permission holder shall be responsible for restoration of any damages caused to any public or private property during the course of erection of telecommunication infrastructure tower or over ground cable infrastructure. In addition, the commissioner/ chief officer/ appropriate authority may levy penalty of 2 times of regular charges per meter per year or per unit as applicable.
2) In case of any untoward incidences or accidents arising due to negligence on the part of permission holder during erection of telecom infrastructure tower or over ground cable infrastructure or due to failure in structural stability of the building on which the telecom infrastructure tower is erected, the commissioner/chief officer/ appropriate authority shall initiate criminal proceedings against the permission holder and take necessary action as per law, in addition to levy of penalty.
3) Punitive Action in case of Violation of EMF radiation limits set by Central Govt. shall be addressed to Central Govt. or DoT as per provisions of Central Govt. Guidelines.
4) Principal Secretary (IT) will be the Final Authority for dispute resolution.

20. Regularization/Compounding :-

Application for obtaining clearance for the existing unauthorised mobile towers shall be submitted till 31/03/2023, after which the matter would be taken as per laid down procedure. Once the application is submitted within due time, the operation of the Mobile Tower shall not be discontinued till disposal of the application by the concerned local Authority. We direct all Urban Local Bodies not to take coercive steps and not to seal the Towers sites and not to disconnect the electricity without the concurrence of Principal Secretary (IT). In case the local authority declines clearance for any existing unauthorised mobile towers an appeal can be filed before the concerned Chairman of District Level Telecom Committee (DLTC) Principal Secretary Information Technology will be the appellate authority for any appeals against the decision of the Chairman of DLTC.

For the regularisation of unauthorised Mobile/Telecom Towers which were installed before implementation of these guidelines subject to the fulfilment of conditions applied for authorised tower thereof and payment by following formula. This is one time relaxation, which will be valid till 31/03/2023 from the implementation date

of these guidelines. For this purpose the application for regularisation shall be made and processed on MahaSanchar Portal only.

<u>Formula</u> : –

<u>No. of Years existing period of Mobile Towers × [Applicable Fee for Permission + Basic Property Tax (excluding penalty* and interest)]</u>

* For the purpose of above Penalty formula rebate shall be granted as per section 152-1A of The Maharashtra Municipal Corporations and section 216 A of The Mumbai Municipal Corporation, section 167 A of The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Second Amendment) Act, 2018 (Mah. Act No. LIII of 2018) for this purpose to avail benefit of this scheme the applicant Telecom Infrastructure Service Provider must withdraw any pending suit unconditionally. For this purpose take proper approval of concern Local Body's administrator or general body if there is necessary.

All ULB's shall rationalise Property Tax and it should be not more than 15% of annual rateable value. This will be applicable from 01.04.2023.

For the purpose of Mobile Tower erection previously Security Deposit has been collected, there is no provision of security deposit in ROW Rules, so security deposit shall be refunded or will be adjusted in property tax before 31.03.2023.

21. <u>Establishment and Maintenance of Underground cable infrastructure (OFC)</u> :-

(A) <u>Application</u> :-

1) An applicant shall, for the purposes of installation of cable infrastructure/ laying of cables under any immovable property vested in or under the control or management of the appropriate authority make an online application, supported by documents as per **SCHEDULE III**.
2) An applicant shall provide Indicative Action Plan and layout of the OFC /ducts to be laid down in a year on or before to 1st of April each year, at least 6 months in advance and get it approved from the appropriate authority. Once such layout/plan is received by the authority, the authority will call a meeting of all the operators/applicants and after mutual understanding will fix the route, distance etc. to be allotted to which operator in order to avoid repetition of grant of permission and frequent damages to the roads and to avoid the inconvenience to the public. In this case the operators who got the approval will be entitled for the payment of ROW/Restoration and other charges as mentioned in **SCHEDULE IV**.
3) That, while newly constructing and repairing of the roads foot Paths etc in the

jurisdiction of local bodies all utility holders including telecom operators shall be called for doing the RoW/Ducting work who is interested to do so for himself and for others also so that frequently granting permission and frequently digging, excavating the roads and putting public in trouble etc would be avoided.

4) In this case all interested utility holders will prepare their annual plan of ducts to be laid down every year and will submit it to the concerned authority before 31stJuly of every year and the Appropriate Authority will call a joint meeting of all such operators, utility holders and will obtain their expression of interest till the end of first week of August. Out of all these applicants one operators/utility holders should be selected for doing this work at the rate of one third of the amount as defined after analysing the expression of interest by the end of 15th August every year.

5) In this case the selected applicant will lay down all the ducts one for their organisation and other for the use of other applicant from which the local bodies will be entitled to recover per kilometre or per meter annual rent on prorata basis depending upon the rates as defined.

6) In any case the local bodies must give all permissions to the selected applicant on or before 31stof August of that year. If such permissions are not given within this stipulated time the same will be deemed to be granted provided it is not otherwise rejected by the authority with proper reason of rejection and that too within five days from the last date of granting permissions i.e. 31st of Aug every year.

7) Provided any applicant seeking permission to lay cables under these guidelines may submit an affidavit to the commissioner/ chief officer/ appropriate authority declaring compliance with these guidelines and acknowledgement of payment of the application fees to the Appropriate Authority / urban local body. The commissioner/ chief officer/ appropriate authority shall permit the applicant to lay cables provided that all the documents required are submitted within 60 days from the date of submission of the affidavit.

8) Provided further that the applicant is exempted from fee under these guidelines if he has paid fees to the Urban Local Body/Appropriate Authority for establishment of cable infrastructure or laying of cable through MoU or other instruments with the respective Urban Local Body/ Appropriate Authority, prior to the commencement of these guidelines.

9) Once the "Call Before u Dig" (CBuD) Mobile Application is activated, all digging agencies to mandated by State Govt. to do any type of digging only after prior intimation through "Call Before u Dig" (CBuD) App and as per its terms and conditions.

(1) All underground utility/asset owner agencies viz. Electricity Cables, Water-pipe. Gas-pipe, Sewerage etc. to be directed by State Govt :

- To register contact details/ escalation matrix of their local/zonal/district officers in charge in the "Call Before u Dig" App for receiving SMS/email notifications.
- To direct owners of excavators, public works contractors to download and register themselves on CBUD app and educate the drivers of these machines
- To be mandated to respond to excavation requests/messages received on "Call Before u Dig" App and take actions accordingly, even if they have mapped or not mapped their assets.
- To GIS map their assets on PM GatiShakti NMP as a layer (https://nad.ncog.gov.in/gatishakti/login)

(2) All agencies carrying out excavation in public lands to be mandated by State Govt:

- To do any type of digging only after prior intimation through "Call Before u Dig" App and as per its terms and conditions.
- To use the App before commencing any type of digging anywhere in the State.

(3) All ULBs to be directed to include Point 2 in the approval letter format, while granting approval for any type of digging anywhere in the ULB area.

Every applicant shall pay following fees :-

In cases where telecom cable such as optical fibre cables etc. have to be laid underground by any method such as duct & conduits, tunnelling core etc. the service provider will be expected to conduct the entire operation of laying the cable fibre and restoring the site & all related infrastructure to its original & useable condition at their own cost and within a period of 30 days. In case, the service provider/ infrastructure provider chooses not to rehabilitate the site/ infrastructure or is unable to do so within a period of 30 days after laying the infrastructure the concerned Government Department/ Agency/Local Authority shall execute the rehabilitation of the site/road by levying the charges as per **SCHEDULE IV**:

Administrative and Reinstatement charges including other charges are to be paid online by applicants before granting permission. Reinstatement charges will be decided as per type of the road mentioned in **SCHEDULE IV**

1) All existing underground cable infrastructure shall register till 31/03/2023 from the date of publication of these guidelines, by paying fees prescribed as above and completion of compliances under this section. Provided the applicant is exempted from fees under this section if he has paid fees under existing MoU/agreement with respective Urban Local Body/Appropriate Authority. Prior to the commencement of these Guidelines.

2) In the event an applicant seeks permission to lay cables below the surface of the earth on those roads whose ownership cuts across two or more local bodies, the applicant shall make two separate applications in accordance with these guidelines.
3) Permission and bank guarantee are necessary for operation and maintenance activities in respect of underground cable infrastructure that are likely to damage to public property.

(B) <u>Grant of permission by Appropriate Authority / urban local body</u> :-

1) The concerned commissioner/ chief officer/ appropriate authority shall examine the application with respect to the following parameter, namely :-

a) The route planned for the proposed underground cable infrastructure and the possible interference, either in the establishment or maintenance of such cable infrastructure with any other public infrastructure that may have been laid along the proposed route;
b) The mode of execution ;
c) The time duration for execution of the work and the time of the day that the work is proposed to be executed ;
d) The estimation of expenses that the Appropriate Authority / urban local body shall necessarily be put in consequence of the work proposed to be undertaken;
e) The responsibility for restoration of any damage that the local authority/ urban local body may necessarily be put in consequence of the work proposed to be undertaken;
f) Assessment of measures to ensure public safety and inconvenience that the public is likely to be put to in consequence of the work proposed and the measures to mitigate such inconvenience indicated by the permission holder; and
g) Any other matter, consistent with the provisions of the Act and these guidelines, connected with or relative to the establishment or maintenance of underground cable infrastructure, through a general or special order, by the Central Government, State Government or the Appropriate Authority / urban local body.

2) The Appropriate Authority shall, within a period not exceeding 60 days from the date of application made.

(i) grant permission on such conditions including but not limited to, the time, mode of execution, measures to mitigate public inconvenience or enhance public safety and payment of restoration charge as may be specified, subject to the provisions of the Act and Rules made there under and these guidelines; or
(ii) reject the application for reasons to be recorded in writing ;

Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard on the reasons for such rejection ;

Provided further that the permission shall be deemed to have been granted if the Appropriate Authority fails to either grant permission under (i) or reject the application under (ii); and the same shall be communicated in writing to the applicant not later than five working days after the period specified above.

3) Where the Appropriate Authority accepts the undertaking by the applicant to discharge the responsibility to restore the damage that such authority shall necessarily be put in consequence of the work, the Appropriate Authority while granting permission under clause (i) of sub clause (2) shall seek a bank guarantee for an amount in lieu of expenses or restoration of such damage, as security for performance in the discharge of the responsibility.

4) Upon the grant of permission, the commissioner/chief officer/ appropriate authority shall within fifteen days from the date of grant of such permission publish the order granting permission, the route where the cables has been permitted to be laid and any other information on the website of the respective urban local body.

5) The Appropriate Authority shall not charge any fee other that those prescribed above from the permission holder for establishment of underground cable infrastructure.

(C) <u>Duration of permission</u> :-

1) It shall be contingent on the extent of land or road sought to be dug but shall not exceed 9 months from the date of grant of permission.

2) If the applicant is unable to lay down cables within the duration determined by the concerned appropriate authority under sub-clause (i), he/ she shall be required to make an application for renewal on the single window platform and shall specify the reasons for non-completion of works under the previous permission.

3) No permission for renewal shall be granted by the concerned urban local body for a period exceeding 60 days and an application for renewal shall be accompanied by the fee. Provided that the applicant may be granted renewal for an additional period of three months if laying of cables was delayed due to force majeure events.

(D) <u>Obligations of permission holder in undertaking work</u> :-

(1) The permission holder shall ensure that–

a. Prior to the commencement of work of laying the underground cable infrastructure and at all times during the execution of work, the measures to mitigate public inconvenience and provide for public safety are implemented,; and

b. The work of laying underground cable infrastructure is carried out in accordance with the conditions specified in the grant of permission by the appropriate authority.

(2) The permission holder shall ensure provision of positional intelligence, through appropriate technology, of all underground cable infrastructures to enable the Appropriate Authority to obtain real time information on its location.

(3) The permission holder shall comply with the technical guidelines provided as below

(4) Licensee will carry out Ground Penetrating Radar (GPR) survey along the route where the duct has to be laid for detection of existing utility. The data of utility collected through GPR survey would be unconditionally shared with relevant Authority free of cost.

(5) Permission granted to the applicant licensee will not be transferable and will be applicable only for the period for which it has been granted.

(6) If required the concerned Department/Authority can direct the applicant licensee to change the optical fibre cable in stipulated time period or shift the cable to other area and the applicant licensee shall be bound to do the same for which all the expenses would be borne by the applicant company.

(7) The State Government shall not be responsible for any damage to Optical Fibre Cable and resultant losses, if any, during the course of official duty by any of their employees.

(8) If the applicant licensee wants to utilize the existing electric poles or street light poles, the same can be allowed by the concerned Corporations/Municipalities/ Department subject to the payment of fees/usage charges prescribed from time to time and fulfilment of terms & conditions.

(9) Responsibility of public safety will lie with licensee during establishment or post establishment of Ground Based/Roof Top Tower/ Mast/ Pole and laying of cable, during its maintenance or other related activities. The licensee shall take all necessary safety steps & measures while executing the work and licensee will indemnify the local Authority against any accident and damage caused to life or property during execution and post execution.

(10) Licensee or any 3rd party will not be allowed to display any advertisement on the Mast and Pole without permission of the relevant local authority.

(11) The pits /trenches shall be reinstated within 72 hours after completion of the work up-to satisfaction of relevant local Authority failing which the concerned Local Authority will invoke the bank guarantee and will get the restoration work done.

(12) In case of any damage to the essential services i.e. water supply, sewerage system and telecommunication lines, electricity supply etc., it will be the responsibility of the licensee to get the services restored from the concerned Local Authority within 24 hours and the cost so incurred would be borne by the applicant licensee.

(13) The area required for laying of Optical Fibre Cable etc., installing a Ground Based Mast and a ground Based Towers/ Poles, will be allotted subject to the conditions that it will not obstruct the movement of the traffic (vehicular & pedestrian), roads and services.

(14) Ground Based Towers/ Mast/ Poles installed by the licensee can be used by Local Authority for lighting the road and licensee will not be paid any fee for the same. All the related equipment for the purpose will be provided by the concerned appropriate Authority and the electricity bill for the same will be borne by the concerned local Authority. However, the licensee will be responsible for the installation and maintenance of street light points on Ground Based Mast/Pole/Tower.

(E) <u>Technical Standards and parameters</u> :-

1. **<u>Technical Parameters to be followed by the infrastructure service providers while laying the cables below the surface of the earth.</u>**

Laying down of underground cables/OFC

a. The applicant shall carry out the work by using Horizontal Directional Drilling method only so as to minimize the damage and to cause minimum inconvenience to the public.
b. The cable shall ordinarily be laid below the footpath or berm or the shoulder of the road.
c. The top of the casing or conduit pipe containing the cables shall be at least 1.6 meter below the top surface subject to at least 0.3 meter below the drains inverts and other utility supplies.
d. Pits of 2 meter x 1 meter and 1.5 meter deep, or of lower size shall be made at a convenient distance but not less than 80 meter, centre-to- centre, for laying cables. However, in case of special site condition variable depth or dimensions may be permitted by the Nodal officer depending on the site conditions
e. The name of the permission holder shall be indicated on the cables boldly.

2. For Construction of RCC Manhole :-

1. The structure of the manhole will be designed as per the norms of Indian Road Congress (IRC). The top level of the manhole will be as per existing road level and whenever the road level is changed the changed, the agency will be bound to finish it to the road level at its own expenses.
2. The agency will be responsible for maintenance and upkeep of the manholes from time to time and will be responsible for obstruction free flow of traffic and loss of any Government or Private property during and after the construction of manhole.
3. If any manhole comes in the way of approved alignment of any proposed water supply, sewerage or any other service the agency will be bound to shift or remove the manhole/cable. The agency will make changes in the location/alignment of manhole at its own cost wherever required by the Government/Local Authority and will be bound to obey any directions of the Government/Local Authority issued from time to time. Installation of telecom tower shall be allowed as per advisory guidelines issued by Department of Telecommunications, Government of India of State Governments from time to time.

(F) Powers of Appropriate Authority to supervise the work :-

(1) The appropriate authority may supervise the execution of work to ascertain if the conditions imposed in the grant of permission are observed by the permission holder.

(2) The concerned appropriate authority may, on the basis of such supervision, impose such other reasonable conditions as it may think fit.

(3) If the concerned appropriate authority comes to the conclusion that the permission holder has wilfully violated any of the conditions for grant of permission, it may forfeit, in full or in part, the bank guarantee submitted by the permission holder and withdraw the permission granted to the permission holder, for reasons to be recorded in writing ;

Provided that no action shall be taken under this sub-rule unless the permission holder has been given an opportunity of being heard.

(G) Maintenance of Cables :-

(1) The permission holder shall not remove or translocate the cables without the prior approval of the concerned local authority.

(2) In the event the Local Authority/ Urban Local Body or any other agency of the State Government or Central Government seeks to widen or modify the roads below which the cables of the permission holder exist, such permission holder

shall coordinate with such agency for removal or shifting of the cable ducts.

(3) The permission holder shall be notified by Appropriate Authority / Urban Local Body or any other agency of the State Government or Central Government, 30 days prior, if any coordination is required to reposition the under-ground assets to accommodate the requirements of government projects and developmental works.

(4) In the event the cable ducts laid down by the permission holder is required to be removed for the purposes provided for under sub- clause (ii), he shall apply for permission, afresh under these guidelines for laying cables in another location but shall be exempted from payment of fees or furnishing bank guarantee.

(H) Penalties :-

(1) The permission holder shall be responsible for restoration of any damages caused to any public or private property during the course of laying cables. In addition, the commissioner/chief officer/ appropriate authority may levy minimum penalty of2 times of regular charges per meter per year for causing such damage.

(2) In case of any untoward incidences or accidents arising due to negligence on the part of permission holder during laying of underground cable infrastructure, the commissioner/chief officer/appropriate authority shall initiate criminal proceedings against the permission holder and take necessary action as per law, in addition to levy of penalty.

22. Right of Way (ROW) using Street Light or Electricity Poles or Street furniture :-

1. The Applicant will make the agreement with the concerned local body or electricity Distribution Company (DISCOM) for the utilization of the electric poles/ distributed network system.
2. Energy Department / DISCOMs shall not be held responsible for any loss to the cable or the commercial operation loss to the Applicant due to theft or for any other reason whatsoever. The safety of the cable shall be entirely with the Applicant.
3. The Applicant will submit application with the right of usage of the utility pole in the offices of local authority. If the local authority finds the application in compliance with the entire requirement, then will issue the permit to the applicant within the prescribed time.
4. If the route of aerial cabling is covering more than one jurisdiction, the Applicant will apply separately to the local authorities of the respective jurisdiction for issue of permit.

Aerial (Over-Ground) OFC Laying :-

Sr. No.	Particulars	Administrative Fees (Rs.)
	Compensation one Time	Rs.1000 per km (One Time Charge)
	Rental per Pole per year	Rs 100

Compensation :-

Item	Amount
Establishment of underground telegraph infrastructure	Nil
Establishment of poles for installation of small cells and telegraph line	Nil
Usage of street furniture for installation of small cells and telegraph line.	(i) For installation of small cells : Three hundred rupees per annum for urban area and one hundred and fifty rupees per annum for rural areas per street furniture. (ii) For installation of telegraph line : One hundred rupees per annum per street furniture.

Above rates shall be applicable to private cable T.V./network also. Competent/appropriate Authority of Local Urban Body shall decide fees for cable T.V. overground infrastructure who are using street furniture. Competent/appropriate Authority shall remove illegal cables/wires which deface city. For regularization of cables/wires competent/appropriate Authority may charge fees and penalties in the line of (ROW) rules or frame local policy for cable T.V. network in specific.

23. Implementation :-

1. Charges for restoration shall be applied as per Telegraph Right of Way (Amendment) Rules, 2022 of part II.
2. The site or surface of road/streets will be restored to its original position by the licensee within 30 days.
3. In order to avoid repeated digging on the same routes, if possible the 1st incumbent TSPs/IPs is free to lay voluntarily extra ducts/conduits with extra capacity so as to take

care of future needs. The capacity / excess capacity can be commercialized by the incumbent TSPs/IPs with suitable mutual agreements with the respective local Authority. However, creation of the excess capacity by the 1st incumbent TSPs/IPs shall not be a precondition for giving Right to Way clearances. The Local Authority may consider laying ducts/conduits at the time of construction of roads to facilitate laying OFCs Cables for which suitable charges could be imposed.

4. Applicant will give a notice of 15 days with route details prior to trenching for fresh or maintenance / repair works. A separate Performance Bank Guarantee for maintenance / repair work will be furnished by the licensee.
5. Operator shall be responsible for any accident or damage due to his act, omissions or negligence.

24. <u>General Restrictions</u> :-

1. Permission for Right of Way for Laying of Optical Fibre Cable etc., installation of Ground Based Mast/Poles/Tower will not be granted at location where it will cause disruptions in services and facilities.
2. Permission for installation of Ground Based Mast/Poles/Tower will not be granted for a location where Mast/Pole/Tower can cause obstruction /hindrance to vehicular as well as pedestrian traffic.
3. Permission will also be subjected to all statutory restrictions by any Act or Law in force with respect to Telecom infrastructure.
4. The agreement shall be done between the licensee and concerned local Authority regarding compliance of all the terms & conditions.
5. In case of any dispute between the licensee and the Urban Local Authority the concerned Chairman of District Level Telecom Committee (DLTC) is hereby declared the grievance redressal officer. Principal Secretary Information Technology will be the appellate authority for any appeals against the decision of the Chairman of DLTC.
6. The permission shall be coterminous with the validity of the Telecom License of the Telecom Operator.
7. Telecom installation is lifeline installation & a critical infrastructure in mobile communication. It is treated as an essential service & therefore sealing of mobile towers/ disconnection of electricity may not be restored to without the consent of respective TERM Cell of DoT in respect of the EMF related issues. However, if the matter is related to structural safety of mobile tower, the Commissioner/ Chief Officer/ Designated Officer may take suitable action as it deems fit on receipt of a report from Deputy Engineer / Junior Engineer/Any Competent Officer of Municipal Corporation/ Municipal Council.

8. The permission holder intimate the Appropriate Authority issuing return notice of his intention of dismantling mobile tower. The Appropriate Authority after receipt of such notice shall grant permission within period of 30 days, failing within permission holder shall dismantle the same and observe all local applicable rules and regulations for dismantling mobile tower.
10. If the installed Telecom Infrastructure is found to be without appropriate approvals or the infrastructure providers has not deposited the requisite fee to the appropriate authority, the appropriate authority shall have the power to direct the licensee/ TSPs/ IPs for removal of the said Telecom infrastructure giving prior notice.
11. These guidelines shall be applicable to all appropriate Authorities within the state of Maharashtra including the various development Special planning authorities, Industrial development Corporations/ authorities, Other statutory Authorities & also the Local Bodies including Municipal corporations, Municipal Councils, Nagar panchayats etc. constituted by the state legislature. The appropriate authority shall exercise the powers under these guidelines on an application for laying of cables & installation of Telecom infrastructure.
12. If there is a conflict between the Act and the Rules & Regulations; the Act will prevail, and if there is a conflict between the Act, Rules and Regulations on the one hand, and the Guidelines on the other, the former will prevail and the latter becomes ultra vires.

25. State Level Telecom Committee & District Level Telecom Committee State Level Telecom Committee (SLTC) :–

Under the Chairmanship of Principal Secretary IT, a State Level Telecom Committee shall be formed to resolve the issues arising due to escalation by the Telecom Infrastructure Company against the decision of District Level Committee. The Committee shall also be responsible to issue advisories and amendments from time to time considering the changing business scenario and considering the provisions of the related act and rules of GoI. The composition of the Committee is as follows :

Additional Chief / Principal Secretary IT	-	Chairman
Additional Chief / Principal Secretary UD-2	-	Member
Additional Chief/ Principal Secretary Revenue	-	Member
Additional Chief / Principal Secretary RDD	-	Member
Principal Secretary Forests Department	-	Member
Director IT	-	Member
Commissioner/Director, DMA	-	Member-Convener

Additional members from other Stakeholder ULB's/Departments/Technical Organizations / Telecom Service Providers (TSPs) / Infrastructure Providers (IPs) will be co-opted on need basis.

District Level Telecom Committee (DLTC) :–

Under the Chairmanship of District Collector a District Level Telecom Committee shall resolve all issues within a period of thirty calendar days of initial receipt of reference from Dispute Resolution Officers/LSB/TSPs/IPs as the case may be. This Committee shall meet at least once a quarter. This Committee shall report the unresolved issues to the State Level Telecom Committee not later than thirty calendar days from the date of decision by the District Level Telecom Committee. The members of the Committee shall be representatives from Local Bodies (Municipal Corporation/Municipality/Nagar Panchayat / Development Authority), District Joint Commissioner UDD, Law Enforcement Authorities, Infrastructure Providers & Telecom Service Providers.

This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in in a reference no. for this is 202212191730585825. This order has been signed digitally.

By order and in the name of The Governor of Maharashtra.

Digitally signed by C Priyanka
Date: 2022.12.20 12:15:41 +05'30'

(Priyanka Kulkarni-Chhapwale)
Deputy Secretary
Urban Development Department
Government of Maharashtra

Copy to :–

1. Secretary to the Hon. Governor, Raj Bhavan, Mumbai
2. Additional Chief Secretary to Hon. Chief Minister, Government of Maharashtra, Mumbai
3. Principal Secretary to Hon. Deputy Chief Minister, Government of Maharashtra, Mumbai
4. Private Secretary to Hon. Leader of Opposition, Legislative Assembly / Legislative Council, Maharashtra Legislature Secretariat, Mumbai
5. Chief Secretary, Government of Maharashtra, Mumbai
6. All Additional Chief Secretaries / Principal Secretaries / Secretaries, Departments, Mantralaya, Mumbai.
7. All Divisional Commissioners
8. All Commissioners of Municipal Corporation
9. All Collectors
10. Commissioner and Director, Directorate of Municipal Council Administration, Belapur, Navi Mumbai,
11. All Chief Officers, Municipal Council/Nagar Panchayat
12. Select File (UD-20).

<u>: SCHEDULE – I :</u>

LIST OF DOCUMENTS TO BE SUBMITTED FOR INSTALLATION OF MOBILE TOWER/ OVER GROUND CABLE

(i) Property owner/lessee/occupant/society agreement.

(ii) Design Parameters / Necessary Drawing of installation.

(iii) Receipt of requisite fees as per Guidelines paid through online Portal.

(iv) A copy of the license granted by the Central Government;

(v) The nature and location, including exact latitude and longitude, of post or other above ground contrivances proposed to be established. Consent of Owner, Society in case of Mobile Tower installation on Roof Top.

(vi) The extent of land required for establishment of the over ground telecom/ cable infrastructure;

(vii) The details of the building or structure, where the establishment of the over ground telecom/ cable infrastructure, is proposed;

(viii) The copy of approval issued by the duly authorized officer of the Central Government for location of the above ground contrivances proposed to be used for the transmission of Radio waves or Hertzian waves;

(ix) The mode of and the time duration for, execution of the work;

(x) The inconvenience, that is likely to be caused to the public and the specific measures proposed to be taken to mitigate such inconvenience;

(xi) The measures proposed to be taken to ensure public safety during the execution of the work;

(xii) The detailed technical design and drawings of the post or other above ground contrivances;

(xiii) Certification of the technical design by a structural engineer attesting to the structural safety, of the over ground telecom infrastructure;

(xiv) Structural Safety Stability Certificate of tower from a Licensed Structural Engineer.

(xv) Estimate of the cost for restoration of the damage that the nodal officer shall necessarily be put in consequence of the work of OFCs proposed to be undertaken

(xvi) Any other matter relevant, in the opinion of the applicant connected with or relative to the work proposed to be undertaken; and

(xvii) Any other matter connected with or relevant to the work as may be specified, through a general or special order, by the Central Government or State Government or the nodal officer.

(xviii) Local self body shall not insist any other additional documents except the document mentioned as above.

(xix) PS IT & PS UD2 will decide mutually to shortlist the above mentioned documents as per relevant law and rules or as per convenience for GatiShakti/MahaSanchar portal.

: SCHEDULE – II :

Fees Structure for installation of Mobile Tower/Pole/Mast

Sr. No.	Municipal Corporation / Council Class	Total charges for Per Mobile Tower		
		Type of Infrastructure	Administrative Charges Ten Thousand	Development Charges/ Scrutiny Fee, etc. (if applicable)
.	2	3	6	7
1	Rates for Class A & B Municipal Corporation	Ground Based Tower	10000	As per UDCPR
		Roof Top Tower	10000	As per UDCPR
		Ground Based Monopole / Roof Top Poles	10000	As per UDCPR
		Mast / Antena / others	10000	As per UDCPR
		Booster and Small Cells and Telegraph Line	Nil	Nil
2	Rates for Class C & D Municipal Corporation, Class A Municipal Councils	Ground Based Tower	10000	As per UDCPR
		Roof Top Tower	10000	As per UDCPR
		Ground Based Monopole / Roof Top Poles	10000	As per UDCPR
		Mast / Antena / others	10000	As per UDCPR
		Booster and Small Cells and Telegraph Line	Nil	Nil
3	Rates for Class B Municipal Councils	Ground Based Tower	10000	As per UDCPR
		Roof Top Tower	10000	As per UDCPR
		Ground Based Monopole / Roof Top Poles	10000	As per UDCPR
		Mast / Antena / others	10000	As per UDCPR
		Booster and Small Cells and Telegraph Line	Nil	Nil
4	Rates for Class C Municipal Councils & Nagar panchayats	Ground Based Tower	10000	As per UDCPR
		Roof Top Tower	10000	As per UDCPR
		Ground Based Monopole / Roof Top Poles	10000	As per UDCPR
		Mast / Antenna / others	10000	As per UDCPR
		Booster and Small Cells and Telegraph Line	Nil	Nil

Note : Above rates/charges are as per ROW Rules which are higher side ; ULB could decide lower charges as per their local policy but these charges shall not exceed as mentioned above. Above rate / charges shall be uploaded on GatiShakti / Mahasanchar portal within One Month after publication of these Guidelines

: SCHEDULE – III :

LIST OF DOCUMENTS TO BE SUBMITTED FOR INSTALLATION OF OFC/ UNDER GROUND CABLE

For obtaining permissions from the Appropriate Authority, a locality-wise map with detailed description of location and methodology to be used for laying the Optical Fibre Cables (OFC), (i.e., HDD technology or open trenching or micro trenching or as the case maybe) will be submitted along with application. This will contain relevant details of the land.

Information regarding height of Mast/Tower/Pole, the depth and length of trench, dimensions (length, width and depth) of land required for laying **OFC** and the width of ducts and number of ducts to be laid down **or** any other details / specification required by the relevant Authority will also be provided.

a. Documents to be submitted in all cases:-

I) Copy of registration certificate as communication infrastructure provider or a telecom service provider granted by the Department of Telecommunications, Government of India;

II) Two sets of proposed route for the laying of the cables

III) Time schedule (stretch and stage-wise) for completion of work and investment.

b. Documents for laying cables below the surface of the earth (in addition to those mentioned above):-

IV) Technology or method proposed to be used for laying the cables (Horizontal Directional Drilling/ Horizontal Boring methods or Micro Trenching or open digging) with preference for use of Horizontal Directional Drilling or Micro Trenching;

V) Details of the proposed area such as the manholes that exist and other such existing inlets to the surface below the road.

VI) Dimensions of the road where such cables are proposed to be laid

VII) Estimate of the cost for restoration of the damage that the commissioner/ chief officer/ appropriate authority shall necessarily be put in consequence of the work proposed to be undertaken

VIII) Local self body shall not insist any other additional documents except the document mention above.

IX) PS IT & PS UD2 will decide mutually to shortlist the above mentioned documents as per relevant law and rules or as per convenience for GatiShakti/MahaSanchar portal.

: SCHEDULE – IV :

Fees Structure for installation of UNDER GROUND CABLE INFRASTRUCTURE(OFC)

Chart – 1 : If restoration is to be done by local bodies itself :-

Sr. No.	Type of Roads	RI (Reinstatement Charges) Rs. per Meter	Access Charges Rs. per Meter	Ground Rent Rs. per Meter per year	Administrative charges
1.	**CC Road**	Sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area.	Nil	Rs. 2	Rs. 1000 per km
2.	**Asphalt Road**		Nil	Rs. 2	Rs. 1000 per km
3.	**WBM Road**		Nil	Rs. 2	Rs. 1000 per km
4.	**Earth Road**		Nil	Rs. 1	Rs. 1000 per km
5.	**Kuchha Road**		Nil	Rs. 1	Rs. 1000 per km
6.	**Footpath**		Nil	Rs. 1	Rs. 1000 per km

a) For each tunnel Pit/Manhole the rehabilitation charges of Rs 10,000/- shall be levied.
b) Govt. agencies may build utility duct for common benefits that shall be made available to TSP/IP-1 to use on payment on utility fee/rent.
c) Appropriate authority shall encourage HDD method or micro trenching method for OFC.

Note : 1) The area of underground telegraph infrastructure proposed to be established shall be the length of duct multiplied by the diameter of the duct multiplied by the number of the ducts.

Explanation.- "duct" means a pipe, permanently lubricated or of any other kind, used as underground cable conduit for telegraph line.

2) Above rates/charges are as per ROW Rules which are higher side ; ULB could decide lower charges as per their local policy but these charges shall not exceed as mentioned above. Above rate/charges shall be uploaded on GatiShakti/Mahasanchar portal within One Month after publication of these Guidelines.

<u>Chart -2</u> : <u>If restoration is to be done by TSP</u> :–

Sr. No.	Type of Roads	RI (Reinstatement Charges) Rs. per Meter	Supervision Charges Rs. per Meter	Access Charges Rs. per Meter	Ground Rent Rs. per Meter per year	Administrative charges	Security Deposit Rs. per Meter (against depositing bank guarantee)
1.	**CC Road**	Sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area.	15 % of total RI charges	Nil	Rs. 2	Rs. 1000 per km	20% of the sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area.
2.	**Asphalt Road**		10 % of total RI charges	Nil	Rs. 2	Rs. 1000 per km	
3.	**WBM Road**		10 % of total RI charges	Nil	Rs. 2	Rs. 1000 per km	
4.	**Earth Road**		5 % of total RI charges	Nil	Rs. 1	Rs. 1000 per km	
5.	**Kuchha Road**		5 % of total RI charges	Nil	Rs. 1	Rs. 1000 per km	
6.	**Footpath**		5 % of total RI charges	Nil	Rs. 1	Rs. 1000 per km	

1. In accordance with the terms of the contract with concern ULB all components of the Reinstated road shall be of very high standard, requiring no major repairs for at least 2 years (1 year Defect Liability Period and 1 year Maintenance Period) after the completion of works.
2. TSP will be responsible to make good the defects and maintain the road along with OFC during defect liability period and maintenance period respectively.

3. Defects liability period begins at completion and ends after Defects Liability Period. If any defect/defects appear and is observed by the Engineer during the Defects Liability Period, the Engineer shall give notice to the TSP before the end of Defects Liability Period. Every time notice of defect/defects is given the TSP shall rectify the noticed defect/defects at his own cost within the length of time specified by the Engineer’s notice. The Defects Liability Period shall be extended for as long as the defects remain to be rectified after the Defects Liability Period.
4. If any defect/defects are not rectified within the length of time specified in the notice, the ULB shall be at liberty to rectify the defect/defects as the case may be at risk and cost to the TSP. The cost of such rectification shall be recovered from amount of security deposit or from any amount due to the TSP.
5. The security deposit money shall be released when the Defects Liability and maintenance period are over, the Engineer has certified that defects, if any, notified by the Engineer to the TSP before the end of this period have been corrected, the TSP has satisfactorily carried out the maintenance of the trenched road.
6. The TSP shall carry out the routine and corrective maintenance of trenched roads. The TSP shall pay particular attention on those road sections which are likely to be damaged or inundated during rainy season.
7. Appropriate authority shall make MoU to refund the amount of security deposit and the instrument of bank guarantee after Defects Liability and maintenance period specified in MoU.

Note : Above rates/charges are as per ROW Rules which are higher side ; ULB could decide lower charges as per their local policy but these charges shall not exceed as mentioned above. Above rate / charges shall be uploaded on GatiShakti / Mahasanchar portal within One Month after publication of these Guidelines.

<u>: SCHEDULE – V :</u>

COMPLETION CERTIFICATE BY ARCHITECT, ENGINEER etc.

Certified that the erection of telecommunication tower or pole structure or work has been supervised by me and has been completed as per the approved plan and permit no. ……….. dated …………

(Signature)

Name of Architect/ Engineer Reg No. :
Address :
Mobile no. :
e-mail :
Place :
Date :

COMPLETION CERTIFICATE BY THE OWNER

Certified that the erection of telecommunication tower or pole structure has been completed or partially completed as per the permit no. ………… dated ………..

(Signature)

Name of owner :
Address
Mobile no.
e-mail -
Place :
Date :

<u>USE CERTIFICATE</u>

Certified that the erection of telecommunication tower or pole structure or work under the permit no. …… dated ……… issued to and supervised by ……. has been inspected by me and that the work executed is in accordance with the permit and that the tower or pole structure is now fit for use.

Signature and Name of the Designated Officer
by the Appropriate Authority with seal

: SCHEDULE – VI :

General Miscellaneous Guidelines

1) The Urban Local Body / urban Development Authority may use the common Telecom Infrastructure (CTI) within the premises of Building / Gated Society free of charge or for a standardized nominal charges just like other essential services like water electricity and / or gas.

2) ULB's shall make Provision Common Telecom Infrastructure in a building should not be deemed as a revenue source in any way, much as the water and electricity utilities are not.

Sufficient space should be provided within the premises to install telecom services by MNOs / network operators.

3) The buildings are to be constructed in such a way that they are 'Digital Infrastructure deployment' / 'Digital Connectivity' ready. There should be provision of telecom ducts / common pathways/runways (digital access paths) to reach to the accessible parts of the buildings.

The common ducts /digital access paths to access buildings from outside should invariably be part of the CTI, which could be used by TSPS/ IP-1s for laying/ deploying digital infrastructure including cables. While approving the building plans, it has to be ensured that plan for creation of CTI including the common duct to access the common space used as telecom room Inside the building is also prepared and separate set of drawings showing the inter/ Intra connectivity access to the building with distribution network need to be furnished.

1) Occupancy-cum-Completion certificate to a building to be granted only after ensuring that the CTI as per the prescribed standards is in place and an undertaking by the Architect or Engineer to be insisted to certify that building has ensured common access to all digital infrastructure to all Service providers in accordance with plan of creation of CTI. Provision of visit from Department of Telecom (DOT)/ Est any relevant modification in the plan to be ensured.
2) While preparing the building plans, there is a need to mandate to have properly demarcated sections within buildings and on rooftops for housing Broad Band / digital connectivity infrastructure / antenna. These areas should have access to power supply for reliable, always-on services.
3) Access to building as well as CTI facilities inside the building should be available on a fair, transparent and non- discriminatory manner to all Service Providers/ IP1's.
4) The Service Providers/ IP1's should have unrestricted access for maintenance work.
5) The permission to in-building access and/or CTI facilities inside the building should not be seen as a source of revenue generation builder(s)/ RWA(s) but as a means for facilitating penetration of broadband access and thereby helping in socio-economic growth of all the residents.

6) Charges (rentals/ power rates etc.) levied to the TSPs/ IP-1s should be fair, transparent and non-discriminatory and should be on residential rates.

7) While developing Greenfield cities/towns, the layout plans should clearly indicate the telecom as Utility Infrastructure lines. Standards followed for Utility planning shall be published and work shall be done by the respective department for bringing In the standardization of the utility coding and sequences. The placement and sequence of above- and below-ground utilities at the appropriate location in the right-of-way to be ensured for unconstrained movement as well as easy access for maintenance. Telecommunication cables should be placed in a duct that can be accessed at frequent service points with sufficient spare capacity to enable scaling and future expansion, and empty pipes (large size hume pipes / HDPE pipes) should be laid before planting trees In order to accommodate additional Infrastructure.

8) Digital Readiness Rating of Buildings / Society in line to the GREEN ratings shall be created where the existing and new buildings shall be rated on standardized parameters such as; but not limited to; Digital Infrastructure access, provisions for Emerging Technologies, Maintenance and Operational ease to TSPS/IPv1, Quality of Wireless Services, Quality / Inter-changeability ease of Wireline Services till each Unit Security, redundancy and Expandability of the digital Infrastructure etc. A detailed rating parameters and calculation mechanism of Points / Stars shall be devised and benchmarked for all new/retrofitting of buildings/ societies.

9) Digital Asset repository which will ensure Proper planning and mapping of utilities through GIS is necessary especially when the alignments of telecommunication cables are identified. Design criteria and standards Utilities should meet the following criteria:

(I) Telecommunication cables should Ideally be placed below the parking area or service lane, which may be dug up easily without causing major inconvenience. Where this is not possible, the cables may be placed at the outer edge of the right-of-way.

(II) There is a need to reduce conflicts with pedestrian movements is to place telecom boxes in easements just off the right-of-way. Where this is not possible, they should be placed within parking or landscaping areas. If cables have to be located in the pedestrian path, a space of at least 2m should be maintained for the through movement of pedestrians. Telecom boxes should never constrain the width of a cycle track.

(III) In order to minimize disruptions, cables should be installed with proper maintenance Infrastructure.

10) There is a need to promote installation of In-Buliding Solution (IBS) / Smart Connectivity infrastructure, where there is a poor connectivity in terms of weak signal strength inside the office, shopping mall, hospitals, multi-story building, education institutions and the objective has to be to strengthen quality of service of the voice & data of mobile and Fiber broadband network and access to digital services being offered by TSP And IP1's

11) Procedures of obtaining IBS-NOC during plan approval and completion:

A) While submitting the proposed Building plan seeking approval from the relevant sanctioning Authority, applicant shall also submit.

i. A complete Service Plan for IBS-Infrastructure along with required specifications (in consultation with, and certified by a credible Telecom Networking hardware-consultant)

ii. An undertaking that such IBS Infrastructure, when constructed shall be available for sharing by various TSPS/IP-Is.

iii. Such Service Plan (IBS) shall be forwarded by the concerned Local Authority to the Telecom Enforcement Resource and Monitoring (TERM) cell of the State (external NOC agency) – for approval NOC.

iv. During the Joint Site Inspection of the completed building structure the TERM cell shall undertake inspection of the constructed/ installed IBS Infrastructure-for Issuance of NOC for OCC.

12) The Local Authority shall liaise with the TERM cell as per Its relevant online/ offline process of communication to seek the relevant NOCS within the specified time as per the Service Charter/ Service Guarantee Act and rules in place. Separate communication from the applicant shall be needed to secure the IBS NOC.

13) Provision of IBS components in building premises: (as per NBC 2016)

i. Entrance Facilities (EF) /Lead-in conduits: (clause 3.1.4, of Part 8: Sec 6) min. 1.2m x 1. 83m space to be allocated for each TSP adjacent to the EF.

ii. Underground conduits/pipes to MDF room: min 100mm dia encased conduits.

iii. Main Distribution Frame (MDF)/Equipment Room(ER): (clause 3.1.2, Part 8: Sec 6)

- prescribed size with L:W ratio between 1:1 to 2:1
- appropriate ventilation of MDF room
- proper Lighting for vision of equipment's,
- located at a level above from the Natural Ground level to avoid incidence of flooding

i. Electric distribution panels, isolaters, sockets and earthing as per specific requirements w.r.t. the area proposed for coverage (DUs/ service subscribers)

ii. Telecommunications Room (TR) at each building block unless provided with MDF room : (all provisions of space to be as per clause 3.1.3.2, Part 8: Sec 6)

iii. Appropriate nos. of Service/Telecom risers (vertical shafts) for all multi- storeyed buildings w.r.t the area proposed for coverage (DUS/ service subscribers):

(a) Of appropriate nos. and size (width & depth) To accommodate cable trays

(b) With access door at each floor.

(i) Telecommunications Enclosures (TE) at Each floor of a block or TR (clause 3.1.5, Part 8 : Sec 6)

(ii) Telecom Media and Connecting Hardware (TE) (clause 3.2, Part 8: Sec6)

(iii) Various cabling system and trays: (clause 3.2.4, Part 8: Sec6)

(iv) Wireless systems: (clause 3.2.5, Part 8: Sec6)

(v) Backbone Cabling Media Distribution and Bldg. pathways (clause 3.3, Part 8: Sec6)

(vi) Horizontal Cabling Media Distribution and Bldg. pathways (clause 3.4, Part 8: Sec6)

IBS installation spaces: area for rooms or systems (e.g. antennas, base stations, remote units, power distribution boxes etc.) to be provided as per requirements w.r.t. the area proposed for coverage / no. of proposed users (as per clauses 3.1.3.2,part 8 : sec6, table stated below)

14) Telecom room space norm for bulding with Built – up area > 465 sqmt St Area to be coverd by IBS Size of telecom Room (all dimension in m)

1. Upto 465 sqmt 3.0 x 2.4

2. 465.0 sqmt to 930.0 sqmt 3.0 x 3.4

3. More than 930.0 sqmt Additional TR required with same space norms

15) Space requirements for smaller building with built-up area < 465 sqmt St Area to be coverd by IBS Size of telecom Room (all dimension in m)

1. Upto 93.0 sqmt Well cabinates, self contained enclosed cabinets.

2. 93.0 sqmt to 465.0 sqmt shallow Room (0.6 x 2.6 Walk-in Room (1.3 x 1.3)

16) IBS installation spaces, so provided, should Be:

a. Not susceptible to flooding
b. Not exposed to water, moisture, fumes, gases Or dust
c. Able to withstand designed equipment load (to Be specified in design)
d. Located away from any vibrations to avoid Dislocation/ dislodgement

17) For any other necessary detailing of building components and service Installations with respect to common Telecom/Digital connectivity Infrastructure, architects/ developers and other service consultants Involved in preparing building and service drawings may refer Part 8-Section 6: Information and Communication Enabled Installations of Volume 2 of the National Building Code, 2016.

18) Mode of deployment of In-Building, FTTX/IP Solution: There shall be various mode of deployment of In Building solutions such as: The possible modes are deployment by a neutral host infrastructure provider or build and managed by mobile operator and sharing with other service providers on non- discriminatory basis. The In-Build Solutions (IBS), FTTX/IP Solutions can also be deployed by TSPS/ IPs. Moreover, if TSP/ IP1 requires to install optical fiber for connecting In-Building Solution (IBS)/ Distributed Antenna System (DAS) nodes/ FTTx solutions, RoW/ permissions should be granted by the road owning agency through online mode (if same is working seamlessly) or offline mode till online system is established. For deploying Indoor solutions these companies should have deemed permissions from the premises.

Owners for Installation of Distribution Network within the utility shafts / common spaces with provisions for common / shared Points of Interconnect for Connectivity to individual units. Moreover, if the TSP/IP requires to install optical fiber for connecting In-Building Solution (IBS) Distributed Antenna System (DAS) nodes, FTTX/ IP Solutions for which RoW/ permissions should be granted by the road owning agency through online mode.

19) Permissibility : The IBS, FTTX/ IP component being small equipment can be Installed on any type of land/building/utility pole and shall be exempted from obtaining the permission for installation of these components from the respective Urban Local Body/Urban Development Authority but should get permission from the Administrative Authority of the concerned premises.

20) Procedure for submitting application for obtaining clearance: TSP/ IP-1 will apply to the administrative authority of the building/ head of the office with layout diagram for Implementing IBS in the building as mentioned in the Row Rules 2016 or State notified Row Policy

21) Fees : No fee will be charged for IBS/ FTTX Network. However, charges may be levied for power (as per Industry tariffs), fixtures, etc. provided by building owners to TSP/IP-1s as per actuals.

22) Access and Distribution Fiber and IP/ LAN networks for connectivity for the Shopping Malls, Multi-Storey Residential Buildings, Cooperative Housing Societies, Residential Welfare Association and Commercial Buildings to be planned and deployed by TSP/ IP-1s as per standard requirement of providing high bandwidth and adequate indoor coverage to each unit / apartment in these complexes.